

DOCKET NO.: MSFT-0208/150665.1
Application No.: 09/676,365
Office Action Dated: 8/21/2003

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS/ARGUMENTS

Status of the Claims

- Claims 1-49 are pending in the Application after entry of this amendment.
- Claims 1-49 are finally rejected by Examiner.
- Claims 1 and 32 are amended by Applicants.

Amendment After Final

Entry of this Amendment is respectfully requested on the ground that this Amendment places the application in condition for allowance. Alternatively, entry of this Amendment is respectfully requested on the ground that this amendment places the claims in better form and condition for appeal. Furthermore, Applicants submits that any changes made to the claims herein do not require an additional search on the part of the Office, nor do any amendments made herein raise new issues with regard to the patentability of the claims now pending.

Claim Amendments

Applicants have amended the preamble of Claim 1 to further highlight that the claim is directed to a method for use by a service provider. Claim 32 has been amended to correct a typographic error.

Claim Rejections Pursuant to 35 U.S.C. §102

Claims 1-3, 5-9, 13-23, 25-28, 32-39 and 41-49 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,418,441 to Call.

Call discloses methods and apparatus for *disseminating product information* produced by manufacturers *using universal products codes* (UPC) as access keys. (Call, Abstract) Call discloses, among other things, the use of the UPC bar code information as the element which enables system users to access product information. In particular, Call discloses the use of UPC as the key to accessing product information from manufacturers (i) in discussing servers in relation to inventory (Call, Col. 27, lines 55-67 and Col. 27, lines 51-67), (ii) in discussing cataloging and searching for already existing product data (Col. 25, lines 19-35), and (iii) in

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the claims of the patent (Independent Claims 1, 6 and 11 Col. 33, 34 and 35 respectively). Call relies on information stored and indexed with UPC codes to *deliver* the information to a requestor who submits a request for product information using a product UPC bar code. (See Call, Claim 1).

Call states in Col 2, lines 9-13:

In a principle aspect, the present invention takes the form of methods and apparatus for *delivering information* about products and manufacturers via the Internet *using all or part of the universal product codes* which designate these products and manufacturers as Internet access keys.

In contrast with Call, the present invention (as reflected in Claim 1) is directed to a method for use by a *service provider* to host a database of specification data of products of a plurality of different manufacturers. The products are arranged in predefined product classes. *Entry of new product specification data into the database (or modification of existing data)* by, for example, a manufacturer, must be done in accordance with a predefined schema for each product class. The service provider provides this service in exchange for remuneration. Unlike Call, the present invention does not depend on the use of a UPC at all to *enter new product specification data* into the database. Also, the present invention does not utilize universal product codes as manufacturers data access keys *to retrieve product information* for distribution on the Internet.

Call does not disclose a method for use by a *service provider* to host a database of specification data of products of a plurality of different manufacturers in predefined product classes having predefined schema that serves as a required interface for *the entry of new product specification data into the database and for modifying existing product specification data* in the database in exchange for remuneration, as recited in amended Claim 1 of the present application. Since Call fails to teach or suggest these features, Call cannot anticipate Claim 1 of the present application. Similarly, Claims 16 and 32 are likewise, distinguishable from Call and are not anticipated under 35 U.S.C. §102(e). Inasmuch as the remaining claims subject to the rejection under Section 102(e) depend either directly or indirectly from one of these independent claims, Applicants submit that they too patentably define over the cited art for the same reasons. Applicants thus traverse the 35 U.S.C. §102(e) rejection and

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respectfully requests reconsideration and withdrawal of the rejection of the claims of the current Application.

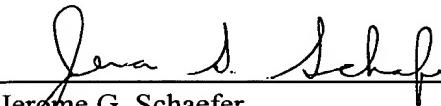
Claim Rejections Pursuant to 35 U.S.C. §103 (a)

Claims 4, 10-12, 24, 29-31 and 40 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,418,441 to Call in view of U.S. Patent No. 6,405,174 to Walker. Inasmuch as these claims depend, either directly or indirectly from one of the independent claims discussed above, Applicants submit that they too patentably define over the cited art for the same reasons. Reconsideration of the section 35 U.S.C. §103(a) rejection of these claims is therefore respectfully requested.

Conclusion

Applicants respectfully request reconsideration of the subject application in light of the amendments and remarks presented above, and a Notice of Allowance for all pending claims is earnestly solicited.

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